

United States District Court
Northern District of New York

JUDGMENT IN A CIVIL CASE

MARGARET ALLEN,

Plaintiff,

V.

CASE NUMBER: 5:07-cv-1051

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

[X] Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

that the final decision of the Commissioner be and hereby is **REVERSED**, and the matter is **REMANDED** to the Defendant for this further administrative action, and it is further **ORDERED** that the within matter, be and hereby is, **DISMISSED** in accord with the decision in *Melkonyan v. Sullivan*, 111 S.Ct. 2157 (1991).

All of the above pursuant to the order of the Honorable Chief Judge Norman A. Mordue, dated the 14th day of April, 2008.

April 15, 2008

DATE

LAWRENCE K. BAERMAN

CLERK OF COURT

/s

BY: Lori M. Welch
DEPUTY CLERK